IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

APPEAL FROM ORDER NO. 646 OF 2005

Empyes Outdoor Advertising — Appellant
vs.
B.M.C. & anr. — Respondents

Mr.A.S.Rai for the appellant.

Ms.Geeta Joglekar for the B.M.C.

CORAM : B.H. MARLAPALLE,J.

DATED : 29th August 2005

P.C.

Heard Mr.Rai, the learned counsel for the appellant and Mrs.Joglekar, the learned counsel for the respondent no.1-corporation.

2. This appeal impugns the order dated 7.4.2005 passed by the learned Judge of the City Civil Court at Mumbai declining to grant ad-interim relief and directing the notice of motion to be registered. The Notice of Motion was made returnable on 21.4.2005.

3. Admittedly there is no stay operating in favour of the appellant for the last about 4 months and, therefore, it would be appropriate that this appeal is disposed of by directing the notice of motion no.1414/05 in L.C. Suit no.1680/05 for being decided

expeditiously.

4. Suit is disposed off and notice of motion no.1414/05 be heard and decided on its own merits as expeditiously as possible and preferably by 31st December 2005.

5. Civil application does not survive.

(B.H. MARLAPALLE,J.)